

CITY of TUCSON CONTRACT NO. 0236-85

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF TUCSON

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF TUCSON, hereinafter called "CITY",

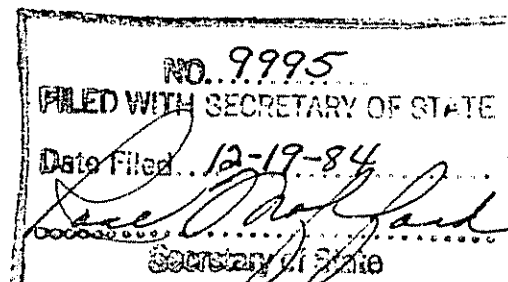
WHEREAS, the CITY is empowered by Arizona Revised Statutes Section 9-672 to enter the Agreement, and

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements be made on the State Highway System in the City. This work shall include but not be limited to the reconstruction/modernization of traffic signals on:

Broadway Boulevard at 6th Avenue (US 89)

Broadway Boulevard at Stone Avenue (US 89)

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by the parties, it is mutually agreed as follows:



1. The City shall advertise for bids and award a contract for the modernization of the traffic signals at Broadway Blvd. at 6th Ave. and Broadway Blvd. at Stone Ave.

2. The State shall deposit with the City \$30,000 to cover their share of the modernization costs when the work is completed but no later than May 1, 1985.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals and other work is completed, in place, and functional.

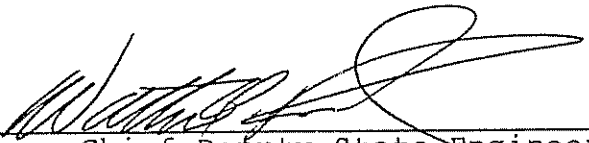
4. All parties are hereby put on notice that this AGREEMENT is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511. Any dispute arising under this agreement shall be subject to arbitration in accordance with A.R.S. Section 12-1518, as amended.

5. This AGREEMENT shall be filed with the Secretary of State and shall become effective upon such filing.

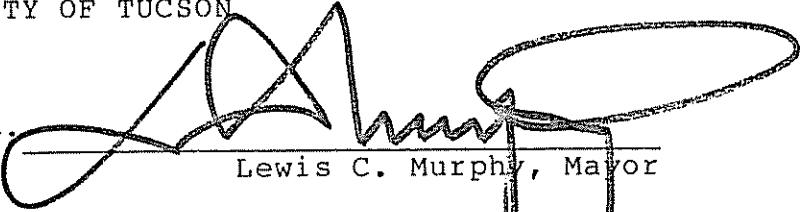
IN WITNESS WHEREOF, the parties have executed this Agreement

this 22nd day of October, 1984.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By: 
Chief Deputy State Engineer

CITY OF TUCSON

By: 
Lewis C. Murphy, Mayor

ATTEST:


City Clerk

CERTIFICATION OF ATTORNEY

Pursuant to A.R.S. §11-952D, the undersigned Assistant City Attorney for the City of Tucson, Arizona, has determined that the foregoing agreement is in proper form and is within the powers and authority of the City as granted under the laws of the State of Arizona.

DATED this 12th day of October, 1984.

Louise B. Stratton
Louise B. Stratton
Assistant City Attorney

OCT 22 1984

RESOLUTION NO. 12912

RELATING TO TRAFFIC SIGNALIZATION; APPROVING AND AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL MODERNIZATION AT BROADWAY/6TH AVENUE (U.S. 89) AND BROADWAY/STONE (U.S. 89).

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

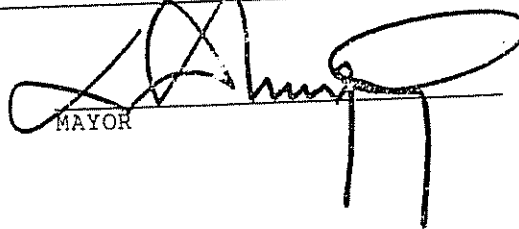
SECTION 1. The Intergovernmental Agreement with the State of Arizona, Department of Transportation, attached hereto as Exhibit A, for State funding of two decorative signals along Broadway Boulevard, at 6th Avenue and Stone Avenue (U.S. 89), is hereby approved.

SECTION 2. The Mayor is authorized and directed to execute the said Exhibit A in as many counterparts as are necessary or desirable for and on behalf of the City of Tucson, and the City Clerk is authorized and directed to attest the same.

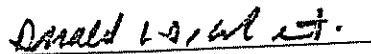
SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this resolution become immediately effective, an emergency is hereby declared to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, OCT 22 1984


MAYOR

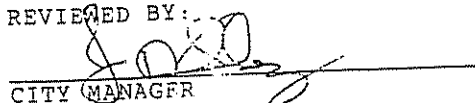
ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

REVIEWED BY:


CITY MANAGER

LBS:jt
10/15/84
LBS

EXTRACT FROM THE MEETING OF THE MAYOR AND COUNCIL
OF THE CITY OF TUCSON, ARIZONA

The Mayor and Council of the City of Tucson met in regular session in the Council Chamber in the City Hall of the City of Tucson, Arizona, at 7:35 o'clock p.m., on the 22nd day of October, 1984, all members having been notified of the time and place hereof.

Present: Council Members Rodolfo C. Bejarano,
Brent L. Davis, George Miller, Charles Ford and
Eva Colunga; Vice Mayor Tom Volgy;
Mayor Lewis C. Murphy; and City Clerk
Donald L. De Ment

Absent/Excused: None

The Mayor declared a quorum present.

ITEM 4: CONSENT AGENDA, ITEMS A THRU F

Item 4-F

INTERGOVERNMENTAL AGREEMENT: STATE OF ARIZONA, DEPARTMENT OF
TRANSPORTATION, FOR TRAFFIC SIGNAL MODERNIZATION

- (1) Report from City Manager OCT22-84-905
- (2) Resolution No. 12912 relating to traffic signalization;
approving and authorizing execution of an Intergovernmental
Agreement with the Arizona Department of Transportation for
traffic signal modernization at Broadway/6th Avenue (U.S.
89) and Broadway/Stone (U.S. 89).

City Manager's Communication No. 905 dated October 22, 1984
was received into and made a part of the record. It was moved by
Vice Mayor Volgy and duly seconded that the matters on the
consent agenda be approved and/or adopted and the proper action
taken.

Upon roll call, the results were:

Aye: Council Members Bejarano, Davis, Miller, Ford and
Colunga; Vice Mayor Volgy; and Mayor Murphy

Nay: None

Resolution No. 12912 was declared adopted by a roll call
vote of 7 to 0.

I, Donald L. De Ment, the duly appointed, qualified, and
acting City Clerk of the City of Tucson, Arizona, do hereby
certify that the foregoing is a true and correct extract from the
meeting of the Mayor and Council of said City Held on the 22nd
day of October, 1984, insofar as said minutes relate to matters
set forth in the extract above and that a quorum was present at
said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal
of said City this 24th day of October, 1984.

Donald L. De Ment
City Clerk

Certificate of Clerk

• City of Tucson •

State of Arizona }
County of Pima } ss

I, Donald L. De Ment, the duly appointed and qualified City Clerk of the City of Tucson, Arizona, do hereby certify that the foregoing is a true, correct, and compared copy of Resolution No. 12912, which was passed and adopted by the Mayor and Council of the City of Tucson, Arizona, at a meeting held on the 22nd day of October, 19 84, at which a quorum was present, by the affirmative vote of not less than five-sixths of the Council, taken by ayes and noes.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the City of Tucson, Arizona, this 23rd day of October, 19 84

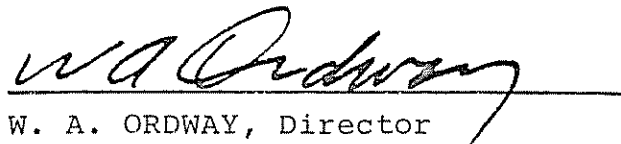
Total of 5 page(s) certified

Donald L. De Ment
City Clerk

US 89 (Stone Avenue) at Broadway
US 89 (6th Avenue) at Broadway
Signal Revamp - City of Tucson

RESOLUTION

BE IT RESOLVED on this 20th day of November, 1984,
that I, W. A. Ordway, as Director, ARIZONA DEPARTMENT OF
TRANSPORTATION, have determined that it is in the best
interests of the State of Arizona that the DEPARTMENT OF
TRANSPORTATION, acting by and through the Highways Division,
enter into an Intergovernmental Agreement with the City of
Tucson to participate in funding to modify existing signals
by installing decorative signals and lighting support struc-
tures. The cost of our participation is \$30,000.00.
THEREFORE, authorization is hereby given to draft said
Agreement which, upon completion, shall be submitted for
approval and execution by the Chief Deputy State Engineer.



W. A. ORDWAY, Director
Arizona Department of Transportation



OFFICE OF THE
Attorney General

TRANSPORTATION DIVISION
1275 WEST WASHINGTON
PHOENIX, ARIZONA 85007
(602) 255-1680

ROBERT K. CORBIN
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. 84-732, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. Sec. 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 4th day of December, 1984.

ROBERT K. CORBIN
Attorney General

James A. Hickman
Assistant Attorney General
Transportation Division